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MAR 24 2004

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To: Commissioner for Patents  
PO Box 1450  
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Fax (703) 872-9306

Re: Information Disclosure Statement and Form PTO-1449 for  
Application No/ 10/621,730 for  
ENCAPSULATION DEVICE AND METHODS OF USE  
Filed on July 14, 2003  
Inventor: Nicholas DeBeer

From: Kuni Oh, Esq.  
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Pages: 9 (Including Cover Sheet)

Date: March 24, 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nicholas DEBEER

Appln. No. 10/621,730

Filed: July 14, 2003

For: ENCAPSULATION DEVICE AND  
METHODS OF USE

Group Art Unit: 3762

Examiner: Not yet assigned

INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL

Customer No. 30349

Jackson & Co., LLP  
6114 La Salle Ave., # 507  
Oakland, CA 94611-2082

## CERTIFICATE OF FACSIMILE TRANSMISSION

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PO Box 1450, Alexandria, VA 22313-1450 on March 24, 2004by Seong-Kun Oh dated March 24, 2004Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir: Enclosed herewith please find the following papers:

1. Information Disclosure Statement Transmittal (in duplicate);
2. Information Disclosure Statement;
3. PTO-1449 Form
4. Certificate of Facsimile Transmission (in duplicate);
5. Deposit Account Authorization (in duplicate).

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 50-2019. A duplicate of this transmittal is attached.

Respectfully submitted,  
JACKSON & CO., LLPMarch 24, 2004  
(Date)

(TI-02-01)

By:

Seong-Kun Oh  
Registration No. 48,210  
Attorneys for Applicant(s)

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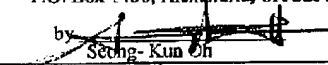
PATENT

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of	)	Group Art Unit: 3762
	)	
Nicholas DEBEER	)	Examiner:
	)	
Application No. 10/621,730	)	<u>INFORMATION DISCLOSURE</u>
	)	<u>STATEMENT</u>
Filed: July 14, 2003	)	
	)	
For: ENCAPSULATION DEVICE AND	)	Jackson & Co., LLP
METHODS OF USE	)	6114 La Salle Ave., #507
	)	Oakland, CA 94611-2802
	)	
	)	Customer No. 30349

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P.O. Box 1450, Alexandria, CA 22313-1450 on March 24, 2004.

by   
Seong-Kun OhDate   
3/24/04

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir: Applicant submit herewith patents, publications or other information, attached hereto and listed on the attached Form PTO-1449 (modified), of which aware, which believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

## This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.

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- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$240) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.
- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) are checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form

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PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith:

(h) ☐ each (i) ☒ none (j) ☐ only those listed below:

Those patent(s) or publication(s) which are marked with an asterisk (\*) in the attached form PTO-1449 (Modified) are not supplied because they were previously cited by or submitted to the Office in a prior application no. , filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120, or because pursuant to Official Gazette dated August 5, 2003, the Patent Office waives the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited US patent and each US patent application publication for all US national patent applications filed after June 30, 2003, and for all international application that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b).

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (k) ☒ not given
- (l) ☐ given for each listed item
- (m) ☐ given for only non-English language listed item(s) [Required]
- (n) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

PATENT

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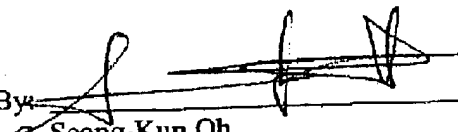
While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

[X] The Commissioner is hereby authorized to charge our Deposit Account No. 50-2019 for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,  
JACKSON & CO., L.L.P.

Dated: March 24, 2004

By   
Seong-Kun Oh  
Reg. No. 48,210  
Attorneys for Applicant

Our File No. TI-02-01

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PATENT

Sheet 1 of 1

FORM PTO-1449 (Modified) (Rev. 7-80)		U.S. Dept. of Commerce Patent and Trademark Office		Atty Docket No. T1-02-01		Appln. No. 10/621,730	
<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)							
				Applicant(s) Nick de BEER			
				Filing Date: July 14, 2003		Group: 3762	
<b>U.S. PATENT DOCUMENTS</b>							
*Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	AA	5,665,117*	Sept. 9, 1997	Rhodes	623	1	March 21, 1996
	BB	5,769,882*	June 23, 1998	Fogarty et al.	623	1	Sept. 8, 1995
	CC	6,015,431*	Jan. 18, 2000	Thornton et al.	623	1	Dec. 23, 1996
	DD	6,290,731 B1*	Sept. 18, 2001	Solovay et al.	623	51.16	March 30, 1998
	EE	US 2002/0151958 A1*	Oct. 17, 2002	Chuter	623	1.13	March 2, 2001
<b>FOREIGN PATENT DOCUMENTS</b>							
*Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation YES NO
	XXIX.						
<b>OTHER DOCUMENTS</b>							
	AAA.						
Examiner				Date Considered			
* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							